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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,014	02/07/2002	Tasso R.M. Sales	CPL-126US	1885

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[REDACTED] EXAMINER

MAHONEY, CHRISTOPHER E

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2851

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

	Application No.	Applicant(s)
	10/072,014	SALES, TASSO R.M.
Examiner	Art Unit	
Christopher E Mahoney	2851	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-53 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-53 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some *
 - c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2, 3</u> . | <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Information Disclosure Statement

The applicant indicates in a letter accompanying the information disclosure statement filed September 19, 2002 (paper #3) that there is a typographical error in the international search report. The examiner concurs with the applicant's opinion that the reference was most likely supposed to be US Pat. No. 4,666,248 to van de Ven.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 5, 7-9, 12, 16, 29, 30-32, 35-37, 38, 40, 42-44, and 47 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by van de Ven (U.S. Patent No. 4,666,248). The applicant is directed to review figures 2-3(b), col. 1, lines 8-10, 32-41, and col. 3, lines 32-61.

Claims 1, 3, 12-13, 16-17, 31-32, 35-37, and 47-48 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Saitoh (U.S. Patent No. 5,870,224). The applicant is directed to review figures 5(a)-10 and 13 as well as col. 7, lines 3-29.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4, 6, 33, 39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over van de Ven (U.S. Patent No. 4,666,248) in view of Moshrefzadeh (U.S. Patent No. 6,317,263). Van de Ven teaches the salient features of the claimed invention except for randomized lenses. Moshrefzadeh teaches randomized lenses in figure 10C. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Moshrefzadeh for the purpose of avoiding diffraction effects.

Claims 10-11, 34, and 45-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over van de Ven (U.S. Patent No. 4,666,248) in view of Shimizu (U.S. Patent No. 1,942,841) or Hashimoto (U.S. Patent No. 6,335,828). Van de Ven teaches the salient features of the claimed invention except for fast and slow axes differing. The applicant is directed to review col. 1, lines 10-11 of Shimizu and figures 3a and 4 a of Hashimoto. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Shimizu or Hashimoto for the purpose of improving central brightness.

Claims 13-15, 17-28 and 48-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over van de Ven (U.S. Patent No. 4,666,248) in view of Morris (WO 02/10804). Van de Ven

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teaches the salient features of the claimed invention except for the specifically recited equations. The applicant is directed to review pages 8, 9, 18-19, 21-22 of Morris. It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the features as taught by Morris for the purpose of homogenizing a spread beam.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E Mahoney whose telephone number is (703) 305-3475. The examiner can normally be reached on 8:30AM-5PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on (703) 308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Christopher E Mahoney
Primary Examiner
Art Unit 2851